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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,295	12/12/2003	Shinji Ohnishi	03500.017813	2528
5514 7590 03/21/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER LIU, LIN	
			ART UNIT	PAPER NUMBER
			2145	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/21/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/733,295

Applicant(s)

OHNISHI, SHINJI

Examiner

Lin Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/13/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action is responsive to communications filed on 12122003.

Claims 1-4 are pending and have been examined.

2. The information disclosure statement (I.D.S) filed on February 13, 2004 is considered.

### ***Specification Objection***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Drawings***

4. Figure 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated in the background of invention. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled n "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

5. Claims 3 and 4 are objected to because of the following informalities:

The term "even through" used in both of claims 3 and 4 on page 22, lines 9 and 21 is believed to be "even though". For the purpose of examination, the examiner treats this term as "even though".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4 are rejected under 35 U.S.C 102 (e) as being anticipated by **Meyer (Patent No.: US 6,882,334 B1)**.

Consider **claim 1**, Meyer teaches a communication apparatus connected to a network having a plurality of transmission media, comprising:

detecting means (Meyer, abstract, col. 3, lines 48-67, col. 4 lines 40-61 and fig. 4, detecting system 220, noted that the method comprises detection of a loss of communication between the wireless keyboard 40, and the wireless receivers 18 and 20 that are resided in the computer 16) for detecting whether or not the communication apparatus (Meyer, fig. 1, the wireless receivers 18 and 20) and a communication partner (Meyer, fig. 1, wireless keyboard 40) are connected through a predetermined

transmission medium (Meyer, col. 3, lines 20-22, wireless communication protocols RF or IR is used),

wherein if said detecting means detects that the communication apparatus (Meyer, fig. 1, the wireless receivers 18 and 20) and the communication partner (Meyer, fig. 1, wireless keyboard 40) are not connected through the predetermined transmission medium (Meyer, col. 4, lines 11-29 and lines 40-61, noted that the communication link between the wireless receivers and the wireless keyboard is detected, which implies that both devices are not connected via RF or IR wireless protocols), predetermined information is notified to a user (Meyer, col. 4, lines 11-29 and lines 40-61, noted that after a loss of communication between the devices is detected, an audible or vibrating alarm is initiated to alert the user).

**Claim 2** is substantially the same as **claim 1** and is thus rejected for reasons similar to those in rejecting **claim 1**. Furthermore, Meyer also teaches the detecting means for detecting whether or not the communication apparatus and a communication partner are connected **directly** (Meyer, col. 4, lines 40-61, noted that the wireless connection between the wireless receivers 18 and 20, and the wireless keyboard 40 can also be a direct link) through a predetermined transmission medium.

Consider **claim 3**, Meyer teaches a communication apparatus connected to a network having a plurality of transmission media, comprising:

detecting means (Meyer, abstract, col. 3, lines 48-67, col. 4 lines 40-61 and fig. 4, detecting system 220, noted that the method comprises detection of a loss of communication between the wireless keyboard 40, and the wireless receivers 18 and 20

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that are resided in the computer 16) for detecting whether or not the communication apparatus (Meyer, fig. 1, the wireless receivers 18 and 20) and a communication partner (Meyer, fig. 1, wireless keyboard 40) are connected through a predetermined transmission medium (Meyer, col. 3, lines 20-22, wireless communication protocols RF or IR is used),

wherein if data cannot be received from the communication partner even though the communication partner is requested to transmit the data (Meyer, col. 3, lines 47-67 and col. 4, lines 11-29, noted that after a number of attempts in retransmitting packet information from wireless keyboard to the computer and checking for the confirmation of the packet receipt from computer is not received, a determination is made that the connection is not connected), predetermined information is notified to a user (Meyer, col. 4, lines 11-29, after a determination is made that the connection is loss, an audible or vibrating alarm is initiated to alert the user).

**Claim 4** is substantially the same as **claim 3** and is thus rejected for reasons similar to those in rejecting **claim 3**. Furthermore, Meyer also teaches the detecting means for detecting whether or not the communication apparatus and a communication partner are connected **directly** (Meyer, col. 4, lines 40-61, noted that the wireless connection between the wireless receivers 18 and 20, and the wireless keyboard 40 can also be a direct link) through a predetermined transmission medium.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Comp (publication no.: US 2004/0203698 A1) discloses a method of initiating a pre-notification of potential connection loss in wireless local area network.
- Saint-Hilaire et al. (publication no.: US 2004/0090984 A1) disclose a network adapter device that can provide a remote host with access to different peripherals connected to the network adapter device.
- Giorgio et al. (patent no.: 5,991,829) discloses a method of sensing target status in a local area network.
- Ohara (patent no.: US 6,314,476 B1) discloses a network adapter enabling bidirectional monitoring of a terminal device between a computer and a managing device.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Liu whose telephone number is (571) 270-1447. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L. Liu  
03/16/2007



JASON CARDONE  
SUPERVISORY PATENT EXAMINER